CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA
REGULAR MEETING

OCTOBER 2, 2007

INVOCATION:
Pastor Tim Pettey of Crosspoint Community Church gave the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Patino led the pledge of allegiance.

CALL TO ORDER:
Mayor Lavagnino called the Regular Meeting of the City Council to order at 6:30 p.m.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino

STAFF MEMBERS PRESENT
City Manager Ness, City Attorney Trujillo, Assistant City Manager Haydon, Fire Chief Ortiz, Director of Public Works/City Engineer Whitehead, Police Chief Macagni, Director of Utilities Sweet, Director of Recreation and Parks Posada, Planning Division Manager Woods, Transit Services Manager O'dell, and Chief Deputy City Clerk Perez.

CHORAL PRESENTATION
Diane Borad-Miken, Choir Director, led the Ontiveros Elementary School Choir, in singing two peace songs entitled *Shalom* and *Peace by Peace*, and asked the City Council to adopt the song *Peace by Peace* as the official peace song of the City. The song was written by Dr. Charles Merrill and Isabelita Boquerin from Marian Medical Center in the late 1990's.

With consensus of the City Council, Mayor Lavagnino proclaimed the song *Peace by Peace* as the official peace song of the City of Santa Maria.

The Choir then sang Happy Birthday to Mayor Lavagnino and presented him with a gift of a toy condor representing the Ontiveros Condors.

PROCLAMATION – PEACE WEEK
Mayor Lavagnino read a proclamation declaring the week of October 15 – 21, 2007, as "Peace Week" in the City of Santa Maria and encouraging members of the public to participate in the Peace Week events and to help make the community more peaceful. The proclamation was accepted by Joyce Chrisman, Peace Week Committee Member.

Councilmember Patino invited everyone to the Community Breakfast to kick-off Peace Week on October 15th at 7:30 a.m. at the Veteran's Memorial Building.

PROCLAMATION – COMMENDING WILLIE GALVAN
Councilmember Zacarías read a proclamation commending and congratulating Willie Galvan for being selected the 2007 recipient of the Santa Barbara County Hispanic Achievement Council's Award for exceptional professional accomplishments and dedicated service to the community. The proclamation was accepted by Willie Galvan.

PROCLAMATION – FIRE PREVENTION WEEK
Councilmember Orach read a proclamation declaring the week of October 7 – 13, 2007, as Fire Prevention Week in the City of Santa Maria and encouraging the residents of Santa Maria to heed the important safety messages of Fire Prevention Week 2007, and support the public safety activities and efforts of the Santa Maria Fire Department and other emergency responders. The proclamation was accepted by Jill Pontes, Fire Prevention Aide.

CERTIFICATE OF APPRECIATION
Councilmember Zacarías read a Certificate of Appreciation to Bob Hatch, President and CEO of the Santa Maria Valley Chamber of Commerce, and Computer Connections for participating in the First Young Educated Latino Leaders for Women Conference and donating a computer which was won by a student from Delta High School whose family has never owned a computer.

PUBLIC COMMENT
Art Foster thanked the City Council, Police Department, Fire Department, and Recreation and Parks Department for assisting in the Cruizin' For Life fundraiser in support of cancer patients, survivors and people diagnosed with cancer. The event consisted of a cancer survivors' parade down Broadway, a car show, and a barbecue at St. Joseph's School on Saturday followed by a Burnout Competition and motorcycle demonstration on Sunday at the Airport.

Mayor Lavagnino thanked Mr. Foster and his committee and commended them on a wonderful event.

Joan Leon, Santa Maria Community Coalition, thanked Director of Utilities Sweet for answering the Coalition's questions, which were submitted at a previous City Council meeting, regarding the status of the Santa Maria Levee and for planning to hold public meetings on the Levee once the final flood maps were released. She read a letter from Congresswoman Lois Capps regarding her efforts to acquire funding for the Levee.

CONSENT CALENDAR
Councilmember Zacarías requested Item 3G be pulled for comment.

Item 3G – Two Hour Parking Zone on South Thornburg
Councilmember Zacarías stated she wanted to point out to the public that these were the types of items placed on the Consent Agenda, items like stop signs and parking restrictions. She said she supported this two-hour parking zone on South Thornburg because it was a very congested area.

Consent Calendar Items A through I were approved on motion by Councilmember Orach, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

A. ORDINANCES
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar were adopted by the same vote cast at the first reading unless City Council indicated otherwise.

B. MINUTES
The Minutes of the Regular City Council Meeting of September 18, 2007, were approved as submitted.

C. RELEASE OF BOND
Council accepted as complete the public improvements associated with the installation of 26 street and easement trees and authorized the release of a Faithful Performance Bond in the amount of $2,618.20 for Crossroads Cottages I, Tract 5812.

D. RELEASE OF BOND
Council accepted as complete the public improvements and authorized the release of a Faithful Performance Bond in the reduced amount of $35,549.20 for the installation of public landscaping and irrigation improvements including maintenance for one year for Phases 1, 2 and 3; a Faithful Performance Bond in the amount of $46,926.20 posted for the installation of 466 street and easement trees including maintenance for one year for Phases 4, 6 and 7; and a Faithful Performance Bond in the amount of $22,355.40

posted for the installation of 222 street and easement trees including maintenance for one year for Phases 5, 8 and 9 of Bradley Square, Tract 5782.

E. WARRANTS
Warrant Nos. 137083 to 137367 in the amount of $1,915,072.28 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services.

F. PAYROLL
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads, as shown on records on file in the Department of Administrative Services and having been approved for payment by the Director of Administrative Services.

G. TWO-HOUR PARKING ZONE
Resolution No. 2007-131 was adopted approving the establishment of a two-hour parking zone on South Thornburg Street near Battles Road.

Resolution No. 2007-131 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ADOPTING A TWO-HOUR LIMITED TIME PARKING ZONE ON SOUTH THORNBURG STREET PURSUANT TO SECTION 7-5.14 OF THE SANTA MARIA MUNICIPAL CODE.

H. STOP SIGNS
Resolution No. 2007-132 was adopted approving the establishment of stop signs at Stratford Avenue at Church Street and Stratford Avenue at Cypress Street.

Resolution No. 2007-132 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ESTABLISHING A STOP SIGN AT THE INTERSECTION OF STRATFORD AVENUE AND CHURCH STREET AND A STOP SIGN AT THE INTERSECTION OF CYPRESS STREET AND STRATFORD AVENUE PURSUANT TO SECTION 7-5.20 OF THE SANTA MARIA MUNICIPAL CODE.

I. FOUR-WAY STOP/TWO-WAY STOPS
Resolution No. 2007-133 was adopted approving the establishment of a four-way stop at Russell Avenue and El Camino Street and two-way stops stopping traffic on Tunnell Drive, Hermosa Drive and Rosewood Drive at Russell Avenue.

Resolution No. 2007-133 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ESTABLISHING A FOUR-WAY STOP AT THE INTERSECTION OF RUSSELL AVENUE AND EL CAMINO STREET AND TWO-WAY STOPS AT RUSSELL AVENUE/HERMOSA DRIVE, RUSSELL AVENUE/TUNNELL DRIVE AND RUSSELL AVENUE/ROSEWOOD DRIVE PURSUANT TO SECTION 7-5.20 OF THE SANTA MARIA MUNICIPAL CODE.

PRESENTATION – FIRST 5 SANTA BARBARA COUNTY
Patricia Wheatley, Executive Director of First 5 Santa Barbara County gave a brief presentation regarding a Public Awareness and Education Survey. First 5 Santa Barbara County works in partnership with individuals and organizations throughout the County to support the health, early learning and well-being of children prenatal through 5 years old and their families. First 5 Santa Barbara County contracted with Campbell Rinker to conduct a study of County residents. The study was made up of five focus groups and a multi-mode survey by phone, Internet, and in person consisting of nearly 900 respondents. The objectives of the study were to test and review awareness and attitudes toward First 5 Santa Barbara County and its programs; test attitudes regarding the health, education and development of children during their first five years of life; measure and establish baseline data regarding children's health and school readiness throughout the county; and provide First 5 Santa Barbara County with the information it needs to effectively educate the public. The results of the survey indicated that awareness of First 5 Santa Barbara County was stronger than many other agencies and programs that focus on children with 50 percent awareness among parents of young children and 43 percent among the general public. The average rating for First 5 Santa

Barbara County on a scale of 1 to 5, with 5 being the best, was 3.9. The favorable ratings demonstrate that those who know about the agency like it at least as well or better than comparable organizations. In response to the question regarding attitudes on health, education and development of children ages 0 to 5, the vast majority of parents of children age 0 to 5 (89 percent) and the general public (78 percent) view the first 5 years of a child's life as the most important developmental years. One in five parents of young children in the County worry about how their child walks, talks or learns. Two percent of children age 0 to 5 in the County are uninsured. Fifty-two percent of the respondents carry private medical insurance, twenty-seven percent are on MediCal, and seven percent participate in Healthy Families. Forty-two percent of the respondents indicated they had dental insurance from a private provider, while 17 percent indicated they had no dental insurance. Since 17 percent of households with children age 0 to 5 indicated they have no dental insurance for their children (with even lower percentages for Hispanics and Mixtec), First 5 Santa Barbara County should consider the costs and benefits of promoting assistance with or access to dental insurance as a principle benefit or point of service to its constituents. Only 31 percent of Mixtec parents reported getting dental information from a dentist. Forty-six percent do not get information from any source. The information from the survey will help to create a profile of Santa Barbara County residents who are most likely to contact First 5 Santa Barbara County for information and services.

Jesus Estrada thanked Patricia Wheatley for including the Mixtex community and helping the families with children to be better parents by educating them on children's health and services available.

Mayor Lavagnino thanked Mrs. Wheatley for the report.

INTERMODAL TRANSIT CENTER

Director of Public Works/City Engineer Whitehead gave the staff report. Santa Maria Area Transit (SMAT) began service with two vans and served 51,000 passengers in 1976. The SMAT fleet now consists of 18 buses and transports over 1 million passengers a year. SMAT has outgrown the transit hub at the Town Center Mall which can only accommodate six of the nine buses required during transfer periods. Because of current operating conditions, the City began exploring potential sites for an Intermodal Transit Center, and in 2003, the City Council endorsed Boone Street and Miller Street as the best site for a new Intermodal Transit Center. The City began negotiating with the property owner, La Brea Land Company, for the purchase of the property. The project site is 3.8 acres at the southeast corner of Boone Street and Miller Street. The total purchase price for the project site is $3,494,383. One condition of the purchase agreement is the environmental testing period. From the execution date of the agreement, the City has up to 30 days to conduct invasive environmental testing on the property. Preliminary environmental studies indicate a low probability of previous site contamination. The agreement includes an option for the City to withdraw from the transaction during or before the end of the environmental testing period. WRNS Studio has been hired to design the Intermodal Transit Center with the goal to bid for construction next year.

Councilmember Zacarias read paragraph 6.2 of the agreement and asked who was the "creditor" and who was the "debtor" referenced in that paragraph.

City Attorney Trujillo replied that the language was standard Civil Code language. In this instance, the "creditor" would be the City and the "debtor" would be the property owner.

Barry Stotts spoke in support of the new Transit Center and recalled standing at the podium in front of the City Council 32 years ago asking for funding sources to start a bus program in the City. He said he was on the steering committee that looked at various sites for the new center, and this was the best site because it was close to the Town Center Mall and the downtown area. The new Transit Center will be greatly appreciated and is much needed.

Ed Zoost said as a regular rider of SMAT and the Breeze and on behalf of all the other riders of the bus system, he wanted to thank the City Council for supporting the new Transit Center.

Resolution No. 2007-134 was adopted authorizing the Director of Public Works/City Engineer to enter into an agreement for the purchase of property for the Intermodal Transit Center on motion by Councilmember Zacarías, seconded by Councilmember Trujillo, and carried on the following vote:

AYES: Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2007-134 adopted. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AUTHORIZING THE DIRECTOR OF PUBLIC WORKS/CITY ENGINEER TO EXECUTE AN AGREEMENT OF PURCHASE AND SALE AND JOINT ESCROW INSTRUCTIONS WITH G. A. HANCOCK PROPERTIES, INC., AND THE LA BREA LAND COMPANY.

AGREEMENT FOR ECONOMIC DEVELOPMENT

City Manager Ness gave the staff report. The existing three-year contract with the Santa Maria Valley Chamber of Commerce and Visitor and Convention Bureau for economic development services expires on December 31, 2007. The contract was approved by the City Council after a Request for Proposal for Economic Development Services as issued in 2004. At that time the EDA and the Chamber submitted proposals. At the conclusion of an interview process and after much deliberation, it was the consensus of an independent board to recommend the Chamber as the firm best suited to provide economic development services for the City. The Chamber submitted a Report and Proposal for an extension of the agreement. The report summarizes the history and achievements during the term of the current agreement. It also contains a proposal for extending the services agreement and includes a list of proposed goals and objectives. The Chamber has fulfilled the obligations of the initial three-year contract. These ranged from advertising, providing information and conducting organizational activities designed to attract new and retain and expand existing industries to the City. The Chamber also provided all specific projects, promotions and activities as described in its original proposal dated December 1, 2004. During the current contract, the Economic Development Commission was formed. This is a public/private partnership with a focus on the retention and expansion of existing industrial/manufacturing sector businesses plus the attraction of new businesses within the City. The Chamber continues to keep overhead costs to a minimum by absorbing much of the program costs into the Chamber's budget. Although the Chamber has proposed a three-year extension to the agreement, staff is recommending a two and one-half year extension to realign the funding of the agreement with the City's fiscal year. The Municipal Code specifies that 8 1/2 percent of the City's Transient Occupancy Tax (TOT) revenue be allocated and paid for economic development services. To realign the funding period to the City's fiscal year, it is recommended that for the period of January 1, 2008, to June 30, 2008, a payment of one-half of the full year be provided. Future payments to the Chamber for the remainder of the contract would be provided for in connection with the City's biennial budget.

Bob Hatch, President and CEO of the Santa Maria Valley Chamber of Commerce and Chairperson of the Economic Development Commission, thanked City Manager Ness for his support and counsel. He introduced the members of the Economic Development Commission who were present in the audience including several former members. He gave a brief overview of the proposal for the contract extension. He said as the first term of the contact concludes, the EDC has met every portion of the original Request for Proposals submitted three years ago and measurable goals and objectives have been provided for the future.

Councilmember Zacarías commended Mr. Hatch on the work plan for the future. She said she especially appreciated the Business Retention Team. She suggested that the

new Small Business Development Center and Allan Hancock College be included as participants. She thanked him for including the budget and expenditures so the public could see how the money was being spent.

Mr. Hatch responded that he did not intend to leave either of those organizations out. The Chamber of Commerce helped the Small Business Development Center get started and also has a wonderful partnership with Allan Hancock College.

Councilmember Orach reported that he attended the Manufacturer's Association meetings, and it was difficult to measure all the new jobs that were being created by the local manufacturers.

Mr. Hatch stated the reason the Economic Development Commission was so successful was because of the City's pro-business attitude.

Councilmember Patino thanked Mr. Hatch for the report and proposal. She said the members of the EDC not only belong to the Commission, but they are out in the community participating in other organizations and events so they know the community.

Councilmember Trujillo commended Mr. Hatch and his staff for all they do for the City. He said one of the key elements in the next few months was getting the Downtown Specific Plan approved because it would mean job creation.

Resolution No. 2007-135 was adopted approving an extension to the contract with the Chamber for economic development services on motion by Councilmember Patino, seconded by Councilmember Orach, and carried on the following vote:

AYES: Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2007-135 adopted. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING A TWO AND ONE-HALF YEAR AGREEMENT WITH THE SANTA MARIA CHAMBER OF COMMERCE AND VISITOR AND CONVENTION BUREAU FOR ECONOMIC DEVELOPMENT SERVICES.

CITY MANAGER'S REPORT

City Manager Ness reported on items for the October 16, 2007, City Council meeting including presentation of the Helen Putnam Award for Rotary Centennial Park; a public hearing for the Renfrow Auto Development General Plan Amendment and Zone Change; a business loan for La Bodeguita, Inc.; an ordinance adopting the 2007 Building Codes; and an ordinance amending massage regulations.

ORAL REPORTS BY COUNCILMEMBERS

Councilmember Trujillo reported that he attended a luncheon for the Central Coast Water Authority celebrating 10 years of delivering water to Santa Barbara County. He said it was a pleasure to serve on the Authority because the decisions the City Council made 10 years ago to bring water into this area and have Santa Maria control of 43 percent of the water make Santa Maria the envy of all the other cities in the County.

Councilmember Patino reported that on September 18th she attended a meeting at Marian Medical Center to discuss the discharge and post-care of homeless patients. The hospital currently rents hotel rooms for homeless patients being discharged. On September 19th she spoke at the Suicide Prevention Forum at Allan Hancock College. On September 22nd she attended the City Employees' Annual Barbecue, and that night she participated in the *Free for the Weekend* event for junior high school students at Saturn sponsored by Fighting Back Santa Maria Valley. On September 25th the Santa Barbara County Board of Supervisors approved new rules for agricultural preserves which will help the farmers in the Santa Maria Valley.

Mayor Lavagnino reported that Art Foster did a wonderful job on the car show and thanked Police Chief Macagni for the Police Department's assistance. He reported on a presentation by Dr. Merrill on organ donations and encouraged people to consider being an organ donor. He reported on his attendance at the City Employees' Annual Barbecue and thanked Executive Assistant Patti Rodriguez for all her hard work on the event.

Councilmember Zacarias reported that she also attended the City Employees' Annual Barbecue and thanked the cooks from the Kiwanis Club and City employees who helped. She reported on her attendance at the Young Educated Latino Leaders Conference for Women with over 500 girls attending. She also attended a reception for Casa Pacifica in Santa Barbara. There would be a reception in Santa Maria for the new Casa Pacifica center on Carmen Lane. She talked about seeing first hand the poor condition of the hotel rooms that Marian Medical Center rents for the homeless patients. She referenced a presentation at the League of California Cities Annual Conference on how to improve less-than-favorable hotels in cities and hoped that the City of Santa Maria would look into ways to improve the conditions in some of the hotels in the City.

Councilmember Orach thanked Gary Rice, Executive Director of the Santa Maria Public Airport, and the Radisson Hotel for the car show and burnout event. He reported that on September 27th he attended the Home Builders Association reception at Firestone Meadows. He talked about the positive things he heard about Santa Maria from other public officials who attended. He also reported that he attended the *Free for the Weekend* event at Saturn.

Councilmember Patino reported that the City Manager's office sends the Council the weekend report every Monday. This last weekend there were 30 traffic accidents with 22 of them hit and runs. She requested that the Council be provided with statistics for the last six months.

CLOSED SESSION
Council recessed to Closed Session at 8:15 p.m. for Conference with Legal Counsel - regarding existing litigation pursuant to Subsection (a) of Government Code Section 54956.9 to discuss Santa Maria Valley Water Conservation District (SMVWCD) v. City of Santa Maria, and Conference with Labor Negotiator pursuant to Section 54957.6 of the Government Code; Agency representative: Assistant City Manager; Employee organization: Service Employees International Union (SEIU), Local 620.

After the Closed Session, the following was announced:

Conference with Labor Negotiator: SEIU – Direction to staff was provided.

Conference with Legal Counsel regarding SMVWCD v City: Canceled.

ADJOURNMENT
There being no further business to come before the City Council at this time, Mayor Lavagnino declared the meeting adjourned at 8:46 p.m.

APPROVED

October 16, 2007
Date

Chief Deputy City Clerk of the City of Santa Maria and ex officio Clerk of the City Council

ATTEST

Chief Deputy City Clerk

Mayor of the City of Santa Maria